

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or)	
)	CONSENT ORDER OF
Revocation of the Educator Certificate)	
)	VOLUNTARY SURRENDER
of Nicole M. Flavell)	
)	
Certificate 217109)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 8, 2006. On January 23, 2006, the South Carolina Department of Education (Department) sent Nicole M. Flavell a notice of her right to a hearing before the State Board concerning the possible revocation of her South Carolina educator certificate 217109 by certified mail, return receipt, restricted delivery, and regular mail. On January 25, 2006, Ms. Flavell contacted the Department, after receiving the notice, and agreed to voluntarily surrender her certificate in lieu of a hearing. After considering the evidence presented, the State Board voted to accept the voluntary surrender of Ms. Flavell's certificate.

Nicole M.
Flavell

Initials

Date

FINDINGS OF FACT

Ms. Flavell holds a valid South Carolina educator certificate and has two years of teaching experience. During the 2005-06 school year Ms. Flavell was assigned as a teacher at Mauldin Elementary School in the Greenville County School District (District). On December 29, 2005, Ms. Flavell was arrested and charged with Simple Possession of Marijuana and Possession of Drug Paraphernalia. At the time of Ms. Flavell's arrest, law enforcement officers confiscated what was believed to be marijuana, as well as paraphernalia associated with marijuana and cocaine usage. Ms. Flavell also admitted to the officers that she had used cocaine. Ms. Flavell resigned from the school District on December 30, 2005.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004); 24 S.C. Code Ann. Regs. 43-58 (1991). Just cause includes unprofessional conduct and crime against the law of this State or the United States. S.C. Code Ann. §59-25-160 (2004). The State Board finds that there is substantial evidence to support its decision to accept the voluntary surrender of Ms. Flavell’s certificate. At the end of three years from the date of this Order, Ms. Flavell may reapply for a South Carolina educator certificate by written request to the Office of Educator Certification of the Department, subject to a character and fitness review by the State Board.

South Carolina State Board of Education

Joe Isaac, Chair

Columbia, South Carolina
February 8, 2006

I, Nicole M. Flavell, S.C. Educator Certificate 217109, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on February 8, 2006.

Nicole M. Flavell

Date